

III. REMARKS

1. Claims 1, 3, 6-12, 14, and 16-26 remain in the application. Claims 2, 4, 5, 13, and 15 have been cancelled without prejudice. Claims 27-33 are new. Claims 1, 12, 14, 21, 22, and 26 have been amended.

2. Claim 14 has been amended to overcome the informalities objections.

3. Applicants respectfully submit that claims 12, 21, and 22 recite statutory subject matter under 35 USC 101. Claim 12 recites an apparatus comprising a transmitter, claim 21, as amended, recites a terminal comprising a processor and a memory, and claim 22, as amended, recites a processor and a receiver. At least for these reasons, the subject matter of the claims falls within the meaning of a machine and satisfies the requirements of 35 USC 101.

4. Applicants respectfully submit that claims 1, 3, 6-12, 14, and 16-26 are patentable over the combination of Jaisimha et al. (US 6,487,663, "Jaisimha"), Jerding et al. (US 7,308,697, "Jerding") and Miller et al. (US 6,421,707, "Miller") under 35 USC 103(a).

The combination of Jaisimha, Jerding, and Miller fails to disclose or suggest

determining a reference to a location of the at least one multimedia component within the first message;

supplementing the first message with a file formed using an SMIL format, the file comprising the presentation parameters and the reference, and header information indicating the format to form a second message.

as recited by claims 1, 12, 21, 22, and 26.

Jaisimha describes media file with a header portion, encoded to include an access code. The access code corresponds to one or more methods which may be used to transmit the media file over a network. Column 7, lines 18-25, cited in the present action, show an exemplary SMIL file with an "<audio" tag specifying a media object "foo.rm." While the SMIL file specifies the media object, there is no reference to a location of the media object within a message. There is no disclosure in Jaisimha related to this feature.

The Examiner properly points out that Jaisimha fails to disclose or suggest:

supplementing the first message with a file comprising the presentation parameters and the reference, and header information indicating the format to form a second message.

Applicants respectfully submit that Jaisimha also fails to disclose or suggest:

supplementing the first message with a file formed using an SMIL format, the file comprising the presentation parameters and the reference, and header information indicating the format to form a second message.

Jerding describes a subscriber television system that includes a multimedia server and a multimedia client. Column 2, lines 58-60 and column 4, lines 26-45, cited in the present action, disclose that the multimedia message server delivers message content and a message configuration to one or more clients as part of a multimedia request. The message configuration includes parameters which control the presentation of the message content (col. 2, lines 41-43, and col. 7, lines 19-45). However, there is no disclosure related to determining a reference to a location of the at least one multimedia component within a message. Furthermore, there is nothing related to supplementing the first message with a file formed using an SMIL format, the file comprising the presentation parameters and the reference to the location of the multimedia component. Column 3, lines 27-39 discloses that the multimedia request may alternately include a location reference to the message configuration. However, the message configuration is not a multimedia component, only parameters for controlling presentation. Furthermore, the location reference to the message configuration is not a location within the message but a reference to a remote location. Still further, Jerding is silent with respect to supplementing a message with an SMIL formatted file.

Miller fails to provide the features of claims 1, 12, 21, 22, and 26 missing from the combination of Jaisimha and Jerding. Miller describes a multimedia messaging system where a message is delivered according to a delivery indication sent by the recipient. While not cited for these features, Miller has no disclosure related to determining a reference to a location of at least one multimedia component within a first message, and supplementing the first message with a file formed using an SMIL format, the file comprising the presentation parameters and the reference to a location of at least one multimedia component within the first message.

Therefore, the combination of Jaisimha, Jerding and Miller fails to disclose or suggest all the features of independent claims 1, 12, 21, 22, and 26, and fails to render claims 1, 3, 6-12, 14, and 16-26 unpatentable.

5. Claims 27-33 are new and are directed to receiving a multimedia message including a compilation file formed using an SMIL format and comprising a reference to a location of the at least one multimedia component in the multimedia message, interpreting header information in the multimedia message indicating a format of the at least one multimedia component, using the reference to the location of the at least one multimedia component, restoring the at least one multimedia component to an original data format, and presenting information contained in the multimedia message using presentation parameters included in the compilation file and related to presenting the at least one multimedia component included in the multimedia message.

None of the cited references, alone or in combination, disclose or suggest all these features.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

/jvg44695/
Joseph V. Gamberdell, Jr.
Reg. No. 44,695

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Date

Perman & Green, LLP
99 Hawley Lane
Stratford, CT 06614
(203) 259-1800
Customer No.: 2512